

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
THURSDAY, APRIL 20, 2006
DE CHAMPLAIN CONFERENCE ROOM, AUGUSTA
RATIFIED BY THE MAINE EMS BOARD – MAY 3, 2006 (EXCLUDING ACTION INRE:
PAUL BEAN JR.)**

MEETING MINUTES

Present: Carol Pillsbury, Rick Doughty, Paul Knowlton

Staff: Drexell White

Call To Order: The meeting was called to order at 9:30 a.m.

1. Investigations

The committee entered executive session for the purpose of conducting an informal conference with the subject of case 06-09.

Motion: *To enter executive session pursuant to 32 M.R.S.A. §90.A.3, §92.3 and 1 M.R.S.A. §405(6)(F) for the purpose of conducting an informal conference concerning case 06-09 (Doughty; Knowlton - motion carries)*

The committee entered executive session at 11:06 a.m. and exited at 11:51 a.m.

Following executive session, the committee discussed options for disposition of case 06-09

Motion: *That the subject of case # 06-09 violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.3 - Violating any of the provisions of 32 M.R.S.A, Chapter 2-B., Chapter 11 §1.4 - Any criminal conviction, subject to the limitations of Maine statute. Chapter 11 § 1.14 – Violation of any standard established in the profession; that the violation is based upon Licensee’s January 4, 2006 conviction for, and admission of Theft By Receiving Stolen Property, Class D in violation of 17-A M.R.S.A. §359(1)(B)(5), that aggravating circumstances exist in that the conviction is within the last 6 months, that Licensee committed the theft over a prolonged period of time, and that the licensee knew that the activity was illegal; that mitigating circumstances exist in that Licensee disclosed the conviction, Licensee has no previous history of convictions or Rules violations, Licensee cooperated with Maine EMS and expressed remorse for his actions, the work environment in which licensee was employed lended itself to a culture of employee theft, and Licensee has the support of his service chief; that the committee proposes to resolve the investigation by Consent Agreement; that the terms of the Consent Agreement include that Licensee will report any criminal charge filed against Licensee in any state or Federal Court; that if charges are filed against licensee in any state or Federal court, Licensee will immediately surrender any license issued by Maine EMS, and that the terms of the agreement are for 5 years. (Doughty; Knowlton – motion carries).*

2. Applications

A. Sonny Blankenship

The committee conducted an informal review with applicant Sonny Blankenship concerning his failure to disclose criminal convictions on his September 30, 2005 application for an EMT-Basic license. Don Ouellette, a member of Acton Ambulance service was also present to speak on Mr. Blankenship’s behalf.

Motion: *That Applicant Sonny Blankenship violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.1 - Obtaining a license or certification by fraud, by deceit, by misrepresentation, or by concealing material facts, Chapter 11. §1.29 - Willfully making a false statement in application for a license or renewal of a license, or in any activity or documents intended to be used to satisfy a requirement for licensure; that the violations are based upon Applicant’s failure to disclose August 1, 1996 and May 21, 1997 convictions for Theft By Unauthorized Taking or Transfer, Class E in violation of 17-A M.R.S.A. §353; that no aggravating circumstances exist; that mitigating circumstances exist in that Applicant expressed remorse for his failure to report his history of criminal convictions; that the committee proposes to license Applicant in accordance with the terms of a Consent Agreement; that the terms of the Consent*

Agreement include that Licensee will report any criminal charge filed against Licensee in any state or Federal Court; that if charges are filed against licensee in any state or Federal court, Licensee will immediately surrender any license issued by Maine EMS, and that the terms of the agreement are for 5 years. (Doughty; Knowlton – motion carries).

B. Scott Newton

The committee conducted an informal review with applicant Scott Newton concerning the history of criminal convictions on his November 28, 2005 application for an EMT-Basic license.

Motion: That Applicant Scott W. Newton violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.4 - Any criminal conviction, subject to the limitations of Maine statute and Chapter 11. §1.5 - Acting in ways that are dangerous or injurious to the licensee or other persons; that the violations are based upon Applicant's April 18, 2001 adjudication for Minor Transporting Liquor in violation of 28-A M.R.S.A. §2052, Applicant's June 18, 2003 conviction for Assault, Class D in violation of 17-A M.R.S.A. §207(1)(A), and his March 17, 2004 conviction for Operating After suspension, Class E in violation of 29-A M.R.S.A. §2412-A(1); that aggravating circumstances exist in that Applicant has had serious and multiple convictions within the last five years with the most recent being in 2004; that mitigating circumstances exist in that Applicant was straightforward with the committee, expressed remorse and provided the committee with several letters of recommendation; that the committee proposes to license Applicant in accordance with the terms of a Consent Agreement; that the terms of the Consent Agreement include that Applicant will report any criminal charge filed against Applicant in any state or Federal Court; that if charges are filed against Applicant in any state or Federal court, Applicant will immediately surrender any license issued by Maine EMS, that Applicant will provide the Board with proof that Applicant completed the Maine DEEP program; and that the term of the agreement is for 7 years. (Doughty; Knowlton – motion carries).

C. Jeffrey Newell

The committee conducted an informal review with Applicant Jeffrey Newell concerning his December 16, 2005 application for an EMT-Basic license. Accompanying Mr. Newell and speaking in favor of Mr. Newell's application were James Brann, Chief, Whitefield Fire Department and Tom Wellman, Director, Whitefield Rescue.

The committee requested an informal review with Applicant because of Applicant's extensive criminal conviction history, to wit:

1. Theft By Unauthorized Taking or Transfer, Class E – 8/18/1989
2. Negotiating a Worthless Instrument, Class E – 5/18/1990
3. Theft By Unauthorized Use of Property, Class E – 3/14/1991
4. Theft By Receiving Stolen Property, Class E – 10/22/1991
5. Theft By Unauthorized Taking or Transfer, Class E – 2 counts – 1/3/1992
6. Theft By Unauthorized Taking or Transfer, Class E – 2 counts – 2/24/1992
7. Theft By Unauthorized Taking or Transfer, Class E – 2 counts - 10/6/1992
8. Theft By Unauthorized Taking or Transfer, Class E – 10/6/1992
9. Forgery, Class D, 2 Counts – 10/6/1992
10. Burglary, Class C – 6/9/1993
11. Theft By Deception, Class C – 6/9/1993
12. Theft By Deception, Class B – 6/9/1993
13. Burglary, Class C, Class C – 6/9/1993

The committee discussed Applicant's criminal convictions and heard from Applicant about the positive changes he has made since the time of the convictions. Also reviewed were several letters of recommendation and a signed petition from Whitefield residents in support of Applicant.

Motion: That Applicant Jeffrey Newell has demonstrated rehabilitation sufficient to warrant the public's trust and that Mr. Newell be issued a Maine EMS license (Pillsbury: Knowlton – motion carries)

D. James Schutts

The committee conducted an informal review with Applicant James Schutts concerning the history of criminal convictions on his November 27, 2005 application for an EMT-Basic license.

Motion: That Applicant James Schutts violated Maine EMS Rules (dated July 1, 2003) Chapter 11. §1.4 - Any criminal conviction, subject to the limitations of Maine statute and Chapter 11. §1.5 - Acting in ways that are dangerous or injurious to the licensee or other persons and Chapter 11.1.14 – 14 - Violation of any standard established in the profession; that the violations are based upon Applicant's August 20, 2004 convictions for Theft by Unauthorized Use of Property in violations of M.R.S.A. §360(1)(A) and Operating Under the Influence 29-A M.R.S.A. §2411(1-A)(A); that aggravating circumstances exist in that Applicant engaged in conduct that could have resulted in serious injury or death to himself or another person; that mitigating circumstances exist in that Applicant, expressed remorse and has no other history of criminal convictions; that the committee proposes to license Applicant in accordance with the terms of a Consent Agreement; that the terms of the Consent Agreement include that Applicant will report any criminal charge filed against Applicant in any state or Federal Court; that if charges are filed against Applicant in any state or Federal court, Applicant will immediately surrender any license issued by Maine EMS; and that the term of the agreement is for 3 years. (Doughty; Knowlton – motion carries).

E. Paul Bean Jr

The committee conducted an informal review with Applicant Paul Bean Jr. concerning his March 1, 2006 application for an EMT-Basic license.

The committee requested an informal review with Applicant because of Applicant's extensive criminal conviction history, to wit:

1. Burglary and Theft in August 1982
2. Burglary and Theft by Unauthorized Taking or Transfer in August 1982
3. Theft in August 1981
4. Burglary and Theft by Unauthorized Taking or Transfer in August 1982
5. Theft in December 1982
6. Burglary and Theft by Unauthorized Taking or Transfer in March 1983
7. Unlawful Sexual Contact in June 1985
8. 8 Counts of Negotiating Worthless Instrument in July 1986
9. Possession of Firearm by Felon

Motion: That Applicant Paul Bean Jr's history of criminal convictions has been reviewed by the Committee; that Applicant's September 17, 1984 conviction for Unlawful Sexual Contact in violation of 17-A M.R.S.A. §255 is a cause of great concern to the Committee, that Licensee has provided documentation of rehabilitation sufficient to warrant the public trust; that, pending corroboration of Applicant's statements about the conduct that led to the Unlawful Sexual Contact through his submission of the police report(s) concerning the conduct, Applicant be issued a license in accordance with a Consent Agreement; that the terms of the Consent Agreement include that Applicant will provide a psycho-sexual evaluation that includes polygraph testing at the time of license issuance and upon every subsequent renewal or new license issued by the Board; that the psycho-sexual evaluation must be conducted within six months of the application for new or renewed license; that the psycho-sexual evaluation be conducted by a person or persons approved by Maine EMS; that if the results of any subsequent psycho-sexual evaluation cause concern by the Committee or Board as to Applicant's fitness to practice, that applicant will immediately surrender, upon Board request, any license that has been issued to him; that Applicant

will report any criminal charge filed against Applicant in any state or Federal Court; that if charges are filed against Applicant in any state or Federal court, Applicant will immediately surrender any license issued by Maine EMS; and that the term of the agreement shall be in effect during any and all periods of time in which the Applicant holds a Maine EMS license (Pillsbury; Knowlton – motion carries)

3. Next Meeting

The next meeting is scheduled for Thursday, May 18, 2006 at 9:30 a.m.

4. Adjourn – The meeting was adjourned at 3:45 p.m. p.m.

Respectfully submitted,

Drexell White